

Appl. No. 10/618,472  
Atty. Docket No. AA-603M  
Amdt. dated November 30, 2005  
Reply to Office Action of October 3, 2005  
Customer No. 27752

### REMARKS

#### Claim Status

Claims 1 to 9 are pending in the present application. Claims 4 and 9 are canceled. Claim 1 is amended to include the limitations of Claim 4. The basis for this amendment is in the Examples and on page 5, lines 5-9.

Claims 1-9 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular Claims 1 and 4 are indefinite since the basis for determining the weight percentage is not set forth in these claims. These claims are amended to include "by weight of the composition". The basis for this is in the specification in the examples, page 4 lines 18-19, page 5 lines 5-6, and on page 5, lines 13-14.

Applicants herein have also added the term "another" before the term "abrasive" in line 5 of Claim 1.

Applicants have also amended Claim 1 to replace "about 8" with "7.66". The basis for this amendment is in the specification on page 9, lines 1-2.

Applicants have also amended Claim 2 to delete "modified" and insert "methicone treated" talc, as well as deleted the term "high purity".

Claims 1-9 are further rejected under 35 USC § 102(b) as being anticipated by U.S. 4,428,928 (herein "928"). The '928 reference, however, does not anticipate Claims 1-9 since it does not disclose each element of the claims. Claim 1 is amended to include the chelating agents of Claim 4 wherein the level of chelating agent is from about 1.7% to about 20% by weight of the composition. The basis for this amendment is in the Examples (e.g. 5 and 6) as well as in the specification on page 5, line 5-9. The '928 reference does not teach or disclose oral care composition comprising from about 1.7% to about 20% by weight of the composition of a chelating agent. The working examples of '928 contain 0.96 percent or less of either citric acid or sodium citrate dihydrate. Therefore, '928 does not anticipate the claims of present invention.

Moreover, Claim 9 is rejected under 35 USC §103 as being obvious over '928 in view of U.S. 4,418,053 (herein "'053"). Claim 9 is canceled herein. The 103 rejection is therefore traversed or avoided.

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Conclusion

In view of the above amendments and arguments, all rejections are respectfully traversed or avoided. Applicants respectfully request reconsideration of the application and allowance of all of the claims.

Respectfully submitted,

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